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9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 VIG DESERT OAKS, LLC, a Nevada  
12 limited liability company, individually and  
13 as assignee of La Folen Corporation and  
14 Vail Commercial Group, LLC,

15 Plaintiff,

16 v.

17 AMTRUST INSURANCE COMPANY, a  
18 Delaware corporation; and AMTRUST  
19 INSURANCE COMPANY OF KANSAS,  
20 INC., a Kansas corporation,

21 Defendants.

CASE NO. 2:24-CV-00034-EJY

**STIPULATION TO EXTEND  
EXPERT DISCLOSURE AND  
DISCOVERY CUTOFF DEADLINES**

**(Second Extension)**

22 Pursuant to LR 26-3, counsel for Plaintiff VI Desert Oaks, LLC (“Plaintiff”), and  
23 Defendants AmTrust Insurance Company and AmTrust Insurance Company of Kansas, Inc.  
24 (collectively, “Defendant”) (collectively with Plaintiff, the “Parties”), hereby request an  
25 extension of thirty (30) days to disclose experts and expert reports, and a separate sixty-day  
26 extension of the discovery cutoff. This is the second extension request.

27 The reason for the extension is one of Plaintiff’s experts notified Plaintiff’s counsel  
28 that due to a family medical emergency, he would not be able to complete his expert report  
by the current June 10, 2024 expert disclosure deadline and requested an additional thirty  
days in which to do so. A thirty-day extension of the expert disclosure deadline necessitates  
extending the expert rebuttal deadline an additional thirty days, as well as the discovery  
cutoff in order to provide a reasonable amount of time for the Parties to complete  
depositions of each other’s experts.

In addition, the parties deferred depositions pending early resolution efforts, and

1 participated in a mediation before Justice Nancy M. Saitta (Ret.) on May 20, 2024. The case  
 2 did not resolve at mediation, and the parties request sufficient time to conduct necessary  
 3 discovery.

4 Pursuant to the original Scheduling Order (Doc. 15), all discovery must be completed  
 5 by July 10, 2024. Separately, under the Court's April 4, 2024 Order granting the Parties'  
 6 first extension request (Doc. 21), the current deadline for expert disclosures is June 10,  
 7 2024, and the expert rebuttal deadline is July 10, 2024. For the foregoing reasons, the  
 8 Parties respectfully request an extension of thirty (30) days, from June 10, 2024, through  
 9 and including July 10, 2024, in which to disclose experts and expert reports, and a thirty-  
 10 day extension from July 10, 2024, to August 12, 2024, in which to disclose expert rebuttal  
 11 opinions, and an extension of fifty-eight (58) days from July 10, 2024, to September 6,  
 12 2024, in which to complete discovery.

13 **Description of Discovery Completed:**

14 On March 6, 2024, Plaintiff served its first set of Requests for Admission and  
 15 Requests for Production of Documents on Defendant and Defendant provided its initial  
 16 responses to that discovery on May 28, 2029.

17 On April 15, 2024, Defendant served its first set of Requests for Production of  
 18 Documents and Special Interrogatories on Plaintiff. Plaintiff served its responses to that  
 19 discovery on May 29, 2024.

20 **Description of Discovery Remaining to be Completed:**

21 As noted above, Defendant provided initial responses to Plaintiff's first discovery  
 22 requests and has stated it will submit full responses in the near future.

23 Plaintiff has requested dates for the following depositions:

- 24 ▪ Vincent Van Meter, both individually and as a Rule 30(b)(6) representative
- 25 ▪ Rule 30(b)(6) Representative of AmTrust re Underwriting
- 26 ▪ Trey Mooney, property claims supervisor currently on medical leave
- 27 ▪ David Mitchell, who is no longer with Amtrust Insurance Company
- 28 ▪ Defendant's experts

Defendant has requested the following depositions:

- Rule 30(b)(6) representative of VIG
- Plaintiff's experts
- Defendant intends to seek documents and/or testimony from third-party witnesses, including Plaintiff's assignor and Plaintiff's roofing contractor.

/ / /

RESPECTFULLY SUBMITTED this 5th day of June, 2024.

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IT IS SO ORDERED.

  
Honorable Elayna L. Youchah  
United States Magistrate Judge

DATED: June 5, 2024